

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MICHAEL BUXBAUM,

Plaintiff,

-against-

ALDEN SMITH,

Defendant.

ORDER OF SERVICE

No. 25-CV-00532 (PMH)

PHILIP M. HALPERN, United States District Judge:

Plaintiff, who is proceeding *pro se*, paid the filing fees to commence this action. A plaintiff who pays the filing fee is not entitled to assistance from the United States Marshals Service in effecting service.

The Clerk of Court is directed to issue a summons as to defendant Alden Smith. Plaintiff is directed to serve the summons and amended complaint on the defendant within 90 days of the issuance of the summons.¹

If within those 90 days, plaintiff has not either served defendant or requested an extension of time to do so, the Court may dismiss the claims against defendant under Rules 4 and 41 of the Federal Rules of Civil Procedure for failure to prosecute.

SO ORDERED.

Dated: White Plains, New York
March 31, 2025



PHILIP M. HALPERN
United States District Judge

¹ Although Rule 4(m) of the Federal Rules of Civil Procedure generally requires that a summons be served within 90 days of the date the complaint is filed, the summons in this case was not issued when Plaintiff filed the complaint. The Court therefore extends the time to serve until 90 days after the date the summons is issued.